

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x
UNITED STATES OF AMERICA

:
INDICTMENT
- v. - :
08 Cr. 490 :
JAVIER RODRIGUEZ-LEYVA,
FERNANDO GARCIA-ORTUNO,
CHRISTIAN AGUIRRE-LEON, and
LEONARDO MENDOZA,

Defendants.
- - - - - x

COUNT ONE

The Grand Jury charges:

1. From at least on or about April 8, 2008, through on or about April 10, 2008, in the Southern District of New York and elsewhere, JAVIER RODRIGUEZ-LEYVA, FERNANDO GARCIA-ORTUNO, CHRISTIAN AGUIRRE-LEON, and LEONARDO MENDOZA, the defendants, and others known and unknown, unlawfully, intentionally and knowingly, did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and object of the conspiracy that JAVIER RODRIGUEZ-LEYVA, FERNANDO GARCIA-ORTUNO, CHRISTIAN AGUIRRE-LEON, and LEONARDO MENDOZA, the defendants, and others known and unknown, unlawfully, intentionally, and knowingly, would distribute and possess with intent to distribute a controlled substance, to wit, five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in

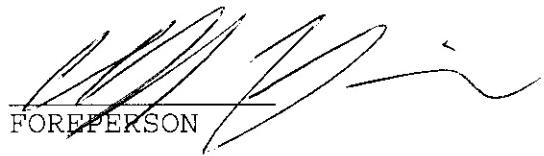
violation of Title 21, United States Code, Sections 812, 841(a), and 841(b)(1)(A).

OVERT ACTS

3. In furtherance of the conspiracy and to effect the illegal objects thereof, JAVIER RODRIGUEZ-LEYVA, FERNANDO GARCIA-ORTUNO, CHRISTIAN AGUIRRE-LEON, and LEONARDO MENDOZA, the defendants, committed the following overt act, among others, in the Southern District of New York and elsewhere:

a. On or about April 9, 2008, RODRIGUEZ-LEYVA, GARCIA-ORTUNO, AGUIRRE-LEON, and MENDOZA, traveled to an automobile shop in Newburgh, New York.

(Title 21, United States Code, Section 846.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney